

NOTICE OF FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

- **Federal Agency Name:** Economic Development Administration (EDA or the Agency), U.S. Department of Commerce (DOC).
- **Federal Funding Opportunity Title:** FY 2018-2020 Research and Evaluation (R&E) and National Technical Assistance (NTA) programs, jointly known as RNTA.
- **Announcement Type and Date:** FY 2018-2020 Notice of Funding Opportunity (NOFO) announcement publishing EDA's application submission requirements and review procedures for applications received under EDA's R&E and NTA programs, authorized under the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 *et seq.*) (PWEDA). **Effective date:** 5/31/2018.
- **Notice of Funding Opportunity:** EDA-HDQ-RNTA-2018-2005669
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.312, Economic Development – Research and Evaluation and 11.303, Economic Development – National Technical Assistance.
- **Dates:** There are no submission deadlines under this NOFO. Applications will be accepted on an ongoing basis until the termination of this NOFO or publication of a superseding RNTA NOFO. All applications will first undergo a technical review by EDA and will undergo a full merit review upon successfully passing technical review. Please see Section E. of this NOFO for complete information on EDA's review process.
- **Applicant Submissions:** Applicants are advised to carefully read the application and submission information provided in Section D. of this announcement. Applicants must submit applications electronically at www.grants.gov (Grants.gov).
- **Eligible Applicants:** Pursuant to Section 3(4) of PWEDA (42 U.S.C. § 3122(4)) and 13 C.F.R. § 300.3 (Eligible Recipient), eligible applicants for and recipients of EDA RNTA investment assistance include: a District Organization; an Indian Tribe or a consortium of Indian Tribes; a State; a city or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; an institution of higher education or a consortium of institutions of higher education; a public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State; private individual; or a for-profit organization.
- **Notice of Funding Opportunity Description:** EDA provides strategic investments on a competitive merit basis to support economic development, foster job creation, and attract private investment in economically distressed areas of the United States. Under this NOFO, EDA solicits applications from applicants in order to provide investments that

support research and technical assistance projects under EDA's R&E and NTA programs. Grants and cooperative agreements made under these programs are designed to leverage existing regional assets and support the implementation of economic development strategies that advance new ideas and creative approaches to advance economic prosperity in distressed communities.

EDA reserves the right to determine if an award will be structured as a grant or a cooperative agreement.

EDA may make changes or additions to this NOFO. All changes will be communicated on [Grants.gov](https://www.grants.gov).

FULL ANNOUNCEMENT TEXT
Research and Evaluation and National Technical Assistance

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A. Program Description

1. Overview and Program Information

The EDA mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. Through its RNTA programs, EDA works towards fulfilling this mission by funding research and technical assistance projects that promote competitiveness and innovation in distressed rural and urban regions throughout the United States and its territories. Such projects will support the DOC Strategic Plan (2018-2022) including through the advancement of innovation and job growth with a specific focus on building the capacities for job growth; providing data, tools and technical assistance to support the export needs of business; and, supporting growing ecosystems that attract foreign direct investment.

Under this NOFO, EDA solicits applications from applicants in order to provide investments that support research and technical assistance projects under EDA's R&E and NTA programs¹. This section provides detailed information on the two programs to which this NOFO applies. Additional information about EDA's programs, including information about the eligibility of specific kinds of projects, is available through EDA staff and available at www.eda.gov.

a. R&E Program

Through the R&E program, EDA supports the development of tools, recommendations, and resources that shape Federal economic development policies and inform economic development decision-making. R&E program investments provide critical, cutting-edge research and best practices to regional, state, and local practitioners in the economic development field, thereby enhancing understanding and implementation of economic development concepts throughout the country. EDA also regularly evaluates the impacts and outcomes of its various programs as a means of identifying policy and program modifications that will increase the Agency's efficiency and effectiveness.

R&E investments may be awarded to:

- Research and evaluate topics or issues to improve the understanding of economic development principles, strategies, and concepts;
- Improve understanding of the causes of economic distress and distressed communities and potential remedies thereof;
- Evaluate success of economic development programs, policies and strategies for improving economic outcomes;
- Develop innovative tools, measures and widely applicable data sets for studying economic development outcomes, principles and policies; or
- Perform other activities determined by EDA to be appropriate under the R&E program.

¹ EDA publishes separate NOFO announcements for its other programs, including Planning, Local Technical Assistance, Public Works, Economic Adjustment Assistance, University Centers, Regional Innovation Strategies, and Trade Adjustment Assistance for Firms. For more information see www.eda.gov and www.grants.gov.

Examples of R&E projects include:

- o **Innovation Index 2.0** – <http://www.statsamerica.org/ii2/> – Provides practitioners an easy-to-compare method of assessing the innovation capacity of their region by providing the composite index of innovation inputs and outputs built upon data from five areas: human capital, business dynamics, business profile, employment and productivity, and economic well-being.
- o **Measuring Distress** – <http://www.statsamerica.org/distress> – This tool provides practitioners a fast, simple way to calculate whether a county, region, or neighborhood may meet EDA eligibility thresholds for unemployment and income.

Please note that these examples are informational and in no way limit the range of potential proposed projects.

b. NTA Program

EDA's NTA program supports a small number of projects that provide technical assistance at a national scope. These projects support best practices among communities trying to solve problems related to economic development goals. By working in conjunction with its national technical assistance partners, EDA helps States, local governments, and community-based organizations to achieve their highest economic potential. The NTA program supports activities that are beneficial to the economic development community nationwide and includes, but is not limited to, outreach, training, and information dissemination. It can also provide assistance with implementation of economic development best practices and proven techniques.

NTA investments may be awarded to:

- Determine the causes of excessive unemployment, underemployment, low per capita income, outmigration, or other economic distress-related problems throughout the nation;
- Formulate and implement economic development tools, models, and innovative techniques that will alleviate or prevent conditions of economic distress;
- Formulate and implement economic development programs to increase regional and national capacity;
- Evaluate the effectiveness and economic impact of programs, projects, and techniques to alleviate economic distress and promote economic development;
- Disseminate information about effective programs, projects, and techniques that alleviate conditions of economic distress and promote economic development;
- Assess, market, and establish business clusters and associations; or
- Perform other activities determined by EDA to be appropriate under the NTA program.

Examples of NTA projects include:

- o **US Cluster Mapping Initiative** – <http://www.clustermapping.us/> – Used by governments, economic developers, and businesses to understand and shape the competitive landscape for a wide range of industries. Allowing each region to

craft an approach to upgrade its performance based on its own unique assets and relative strengths.

- o **Small Scale Manufacturing and Place-Based Economic Development** – <https://smartgrowthamerica.org/> – This program supports planning and place-making activities with local government leaders, job-seeking residents and business leaders through economic development planning activities, expanding opportunities for small scale manufacturing and revitalizing neighborhoods.
- o **“Stronger CEDS, Stronger Regions”** – <https://www.nado.org/stronger-ceds-stronger-regions-resource-archive-2/> – This program provides customized trainings and technical assistance to Economic Development Districts (EDDs) and other regional partners to amplify EDA’s message about the tremendous value and potential of the Comprehensive Economic Development Strategies (CEDS) to support broader regional economic and community development goals.

Please note that these examples are informational and in no way limit the range of potential proposed projects.

EDA may make changes or additions to this NOFO. All changes will be communicated on Grants.gov. EDA reserves the right to determine if an award will be structured as a grant or a cooperative agreement.

2. **Statutory Authorities for EDA’s Programs**

The authority for the RNTA programs is section 207 of PWEDA (42 U.S.C. § 3147), and 13 C.F.R. part 306, subpart A.

Applicant eligibility and program requirements are set forth in EDA’s regulations (codified at 13 C.F.R. chapter III), and all applicants must address these requirements².

B. Federal Award Information

1. **What funding is available under this announcement?**

In FY 2018, the Consolidated Appropriations Act, 2018 (P.L. 115-141) appropriated \$1.5 million for R&E and \$9.5 million for EDA’s Technical Assistance programs³ of which EDA plans to allocate nearly \$1.0 million to the NTA program.

The funding periods and amounts referenced in this NOFO are subject to the availability of funds at the time of award as well as to DOC and EDA priorities at the time of award. Neither DOC nor EDA will be held responsible for proposal or application preparation costs. Publication of

² EDA’s regulations are accessible at the U.S. Government Publishing Office (GPO) website at <https://www.gpo.gov/fdsys/8>. Under “Browse,” select the Code of Federal Regulations, choose the most recent year, and scroll down to find Title 13, Chapter III.

³ Includes funding for EDA’s Local Technical Assistance and NTA programs, as well as the agency’s University Center program. This NOFO only applies to EDA’s NTA program. Information regarding available funding for the Local Technical Assistance and University Center programs may be found on www.grants.gov and www.eda.gov.

this announcement does not obligate DOC or EDA to award any specific grant or cooperative agreement or to obligate all or any part of available funds.

The typical award amounts set out below are provided as contextual information and may prove useful for planning purposes. Actual amounts awarded may be higher or lower depending on the nature of the proposed project and the availability of funds. Applications for funding of activities related to existing awards may compete with applications for new awards.

In recent years, the average size of R&E and NTA investments has been approximately \$350,000, and investments generally range from \$200,000 to \$500,000. Historically, EDA has funded approximately five R&E projects per year and three NTA projects. EDA anticipates making similar awards in FY 2018-2020, subject to availability of funds.

2. **What type of funding instrument will be used to make awards and how long will a project's period of performance be?**

Subject to the availability of funds, EDA may award grants or cooperative agreements to eligible applicants to help support economic development project-based activities. EDA will award a cooperative agreement on a case-by-case basis if substantial agency involvement is required. For a cooperative agreement, the nature of EDA's "substantial involvement" (to be included in the terms and conditions of the award) will generally be collaboration between EDA and the recipient on the scope of work. However, other possible examples of EDA's "substantial involvement" may include, but are not limited to: (i) authority to halt immediately an activity if detailed performance specifications are not met; (ii) stipulation that the recipient must meet or adhere to specific procedural requirements before subsequent stages of a project may continue; (iii) involvement in the selection of key recipient personnel; and (iv) operational involvement and monitoring during the project to ensure compliance with statutory requirements.

EDA anticipates a twelve (12) to eighteen (18) month project period for investments funded under this NOFO, subject to the availability of funds, EDA policy, and satisfactory performance under the award. Applicants should ensure that their proposal and budget clearly specify how they will complete the scope of work outlined above within this timeframe. A typical project period begins with an initial kickoff meeting between the recipient and EDA staff to discuss project scope and to ensure that all parties are in agreement as to the project terms. After the initial meeting, the recipient generally will be required to submit a final work plan to EDA staff for review and approval. Progress and financial reports and project work will be submitted to EDA based on the dates agreed to during the initial meeting and as outlined in the Special Award Conditions.

The recipient will be expected to submit a draft report to EDA at least 60 days before the end of the project period for EDA's review. This report should concisely communicate key project information and should provide a high-level overview of activities undertaken, detail lessons learned during the project period, and outline the expected and actual economic benefits of the project. Based on the Agency's review, EDA may request technical and substantive revisions to the draft report. If these revisions are incorporated and the draft report is ultimately approved by EDA, EDA may approve publication of a final report and the recipient will brief EDA senior management on research methods and report results.

C. Eligibility Information

1. Eligible Applicants⁴

Pursuant to PWEDA, eligible applicants for and eligible recipients of EDA investment assistance under this NOFO include a(n):

- a. District Organization;
- b. Indian Tribe or a consortium of Indian Tribes;
- c. State, county, city, or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions;
- d. Institution of higher education or a consortium of institutions of higher education;
- e. Public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State⁵;
- f. A private individual⁶ or
- g. For-profit organization⁷.

2. Cost Sharing or Matching

EDA encourages cost sharing, and applications that include matching funds may be more competitive than those that do not. Generally, the amount of an EDA award may not exceed 50 percent of the total cost of the project. However, for RNTA awards, the Assistant Secretary of Commerce for Economic Development (Assistant Secretary) has the discretion to establish a maximum Investment Rate of up to 100 percent where the project: (i) Merits, and is not otherwise feasible without, an increase to the Investment Rate; or (ii) Will be of no or only incidental benefit to the Eligible Recipient⁸.

If an Applicant is requesting an EDA investment rate of greater than 50 percent, the applicant must provide the basis for the request. Applicants must clearly and in detail describe their justification for the request within their Budget Narrative in accordance with Section D.2.b.iii.

For match provided, the applicant must document that the matching share will: (i) be committed to the project for the period of performance, (ii) be available as needed, and (iii) not be

⁴ See 42 U.S.C. § 3122(4)(B) and 13 C.F.R. § 300.3.

⁵ For projects that are national or regional in scope, EDA may, in its sole discretion, waive the requirement that a non-profit organization or association demonstrate it is acting in cooperation officials of a political subdivision of a State. See 42 U.S.C. § 3147(a)(3) and 13 C.F.R. § 306.3(b).

⁶ A private individual means a natural person unrelated to any business or non-profit organization he or she may own or operate in his or her name. Further, the requirements of 2 C.F.R. § 200 apply to applicants and recipients who apply as individuals under this NOFO. See also 2 C.F.R. § 25.110(b) (Exempting individuals who apply for or receive agency awards or direct subawards from the requirements of the unique entity identifier and System for Award Management (SAM)). EDA will apply the requirements of 2 C.F.R. § 200 to applicants and recipients who apply as individuals under this NOFO.

⁷ Per 2 C.F.R. § 200.101(c), EDA will apply subparts A through E of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards to for-profit entities.

⁸ See 42 U.S.C. § 3144(c)(3); 13 C.F.R. § 301.4(b)(4).

conditioned or encumbered in any way that may preclude its use consistent with the requirements of EDA investment assistance. In order to meet these requirements, applicants must, at a minimum, submit for each source of matching share, a commitment letter or equivalent document signed by an authorized representative of the organization or entity providing the matching funds. Additional documentation may be requested by EDA in order to substantiate the availability of the matching funds.

In the application review process, EDA will consider as a competitiveness factor the nature of the contribution (cash or in-kind) and the amount of the matching share funds. Documented in-kind contributions may provide the required non-Federal share of the total project cost. All in-kind contributions must be eligible project costs and meet applicable Federal cost principles and uniform administrative requirements as set forth in 2 C.F.R. part 200. Examples of in-kind contributions can include space, equipment, services, or forgiveness or assumptions of debt⁹.

Applicants are strongly encouraged to contact EDA via the email address listed in Section G. of this NOFO to determine how in-kind contributions may be utilized to satisfy the matching share requirement for their respective project concept and application.

D. Application and Submission Information

1. Address to Request Application Package

An applicant may obtain the appropriate application package electronically at www.grants.gov (Grants.gov). Applicants may search for this NOFO on Grants.gov using Funding Opportunity Number “EDA-HDQ-RNTA-2018-2005669”. All components of the appropriate application package may be accessed and downloaded (in a screen-fillable format) at www.grants.gov/web/grants/search-grants.html.

Applicants are advised that they must complete the registration process prior to submitting an application through Grants.gov. Even though an applicant may be able to view and download an application, if the applicant has not correctly completed the Grants.gov registration process, the applicant will not be able to submit the application electronically for EDA’s review. See Section I. for details of the Grants.gov registration process.

2. Content and Form of Application Submission

In order to be considered for funding, applicants must submit a complete application package. A complete application includes all required documents as set forth below. All documentation and data submitted as part of the application package should be current as of the date of application submission. Throughout the review and selection process, EDA, at its sole discretion, may request from applicants written clarification or corrected or missing documents and require that applicants provide such clarifications or corrections in order to continue to be considered for an award under this NOFO. EDA will provide applicants a reasonable amount of time to provide any additional documentation. Failure to provide complete and accurate supporting documentation in a timely manner when requested by EDA may result in the rejection of your application.

⁹ See section 204(b) of PWEDA (42 U.S.C. § 3144).

To be considered complete, an application package must consist of:

- All required documents as listed in Section D.2.a.;
- The Proposal, which includes the Executive Summary, Project Narrative, Organizational Capacity and Project Management, Budget Description, and Schedule of Major Milestones and Deliverables; and
- Addenda to the Proposal materials as listed in Section D.2.c.

Applications that do not contain all required forms listed in each part or that fail to adhere to the instructions in this NOFO, may be considered incomplete and may not be considered for funding. Additional application materials not requested under this NOFO will not be reviewed or evaluated.

Applicants are advised to carefully read the instructions contained in this NOFO and in all forms contained in the application package. It is the sole responsibility of each applicant to ensure that a complete application package is received.

a. Required Documents

All applicants must include the following documents at the time of application submission. The documents should be uploaded as separate Adobe portable document format (PDF) files. All application forms listed in this section will be available in the [Grants.gov](https://www.grants.gov) application package.

- i. One **Form ED-900A** (Additional EDA Assurances for Construction Or Non-Construction Investments) from each applicant or co-applicant, as applicable.
- ii. One **Form SF-424** (Application for Federal Assistance) from each applicant or co-applicant, as applicable.
- iii. One **Form SF-424A** (Budget Information – Non-Construction Programs) per project.
- iv. One **Form SF-424B** (Assurances-Non-Construction Programs) from each applicant or co-applicant, as applicable.
- v. One **Form CD-511** (Certification Regarding Lobbying) from each applicant or co-applicant, as applicable.
- vi. One **Form SF-LLL** (Disclosure of Lobbying Activities) from each applicant or co-applicant, as applicable.

b. Proposal Content

The proposal must clearly articulate the overall goals of the project, the specific and distinct Scopes of Work and concrete activities that will be accomplished under it, specifically **addressing whether the applicant is applying for R&E funds or for NTA funding**. The proposal must also demonstrate each applicant's capability to implement the proposed activities in accordance with the requirements of this NOFO. Applications will be evaluated based on the Evaluation Criteria outlined in Section E. **Applicants should carefully adhere to the page limits specified for each section of the proposal.** Pages beyond the specified page limit for each section may not be read or considered.

i. Project Narrative

The Project Narrative should address all activities that will be undertaken using the funds requested under this NOFO, a summary of how these activities support the overall project's goals, and a clear vision for the final report. The Project Narrative may not exceed **12-single sided, 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins**. Within the Project Narrative, applicants should address the following elements as relevant to their specified type of project proposal (R&E or NTA):

If applying for an R&E investment the applicant must address the following sub-criteria:

- Justification for why the proposed project will provide a specific benefit to the Nation's economic development community;
- Description of how the proposed project is original and innovative, and will add to the body of knowledge supporting decisions made on economic development;
- Description of how the project will promote better understanding of economic development research, policy, and implementation;
- Description of how the proposed project will increase understanding of economic development principles; and
- Explanation of how the proposed project supports EDA's mission to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing and supporting American regions for growth and success in the global economy.

If applying for an NTA investment the applicant must address the following sub-criteria:

- Description of the technical assistance that will be provided to stakeholders;
- Description of how the proposed project increases the economic development capacity of individuals, firms, or communities;
- Discussion of how the project will stimulate economic development in distressed regions; and
- Explanation of how the proposed project supports EDA's mission to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing and supporting American regions for growth and success in the global economy.

ii. Applicant Capacity and Project Management

A separate section on applicant capacity (whether an organization or private individual), including project management experience, should address the applicant's ability to perform all activities that will be undertaken using the funds requested under this NOFO, a summary of how these activities support the overall project's goals, and a clear vision for the final deliverables, including the required report. The Applicant Capacity and Project Management section may not exceed **5-single sided, 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins**. Note: resumes for key personnel should be included under Addenda to the Proposal and will not count against the page limitations of this section (See Addenda section below). Within the Applicant Capacity and Project Management section, applicants should address how the

applicant will be able to work collaboratively with Federal partners and economic development organizations, and demonstrate:

- Subject matter expertise in the various aspects of a regional ecosystem including, economic development, workforce development, planning, and others.
- Functional expertise in the major components of the work, including leadership and facilitation of projects related to robust programmatic content, actionable recommendations, and toolkits.
- Experience coordinating with Federal project managers and collaborating with various partners (including a discussion of the extent of participation of government agencies, private sector interests, education providers, non-profits, community and labor groups, workforce boards, utilities, etc.). This competency includes the governance structure of the project and should be as specific as possible regarding roles and responsibilities.

iii. Budget Narrative

A separate budget narrative must be created and submitted to describe the costs associated with each line item on the Form SF-424A. Supporting documentation listing the components of these categories must be included. The budget narrative should include the following:

- A personnel plan listing all positions proposed to be charged to the project whether as Federal or non-Federal costs. The personnel plan must include the position titles, salaries, percentage of time dedicated to the project, and amount of salary charged to the project for each staff member assigned to the project. The sum of all salaries charged to the project must equal the amount on the “Personnel” budget line item on Form SF-424A. The personnel plan should provide a description of how the personnel will carry out the proposed plan, including the adequacy and previous performance of the proposed team to carry out project activities.
- A description of the source, nature, and amount of all non-EDA funds for the project. All non-EDA funds must be committed to the project, available as needed, and not conditioned or encumbered in any way that would preclude their use consistent with the purpose of the project. Applicants must also attach documentation (e.g., commitment letter from the source) confirming non-EDA (matching or cost share) funding.
- As described in Section C.2 above, if the applicant is requesting a federal share higher than 50% of the total project costs, then the applicant must provide a detailed justification as a part of the Budget Narrative as to why the project (a) merits, and is not otherwise feasible without, such an increase to the EDA investment rate; or (b) will be of no or only incidental financial benefit to the recipient.
- If contracts will be used to complete part or all of this project, applicant must include a statement that contracts will be awarded by competitive bid, or if contracts will not be awarded by competitive bid, applicant must provide adequate documentation that sole source justifications can be made in accordance with the Uniform Administrative

Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) as set forth in 2 C.F.R. § 200.320(f).

iv. Schedule of Major Milestones and Deliverables

All Applicants must submit a schedule detailing the expected start and end date of all major milestones and deliverables described in the Project Narrative. The schedule should be outlined in months (e.g. “One month from award...”), such that an evaluator could easily discern in how many months the Applicant could start the project from the date of project award, in how many months each of the key project milestones and deliverables will be accomplished from the date of project award, and the anticipated number of months after the date of project award that the project will be completed, generally not to exceed the 18-month award period.

c. Addenda to the Proposal

Applicants must also submit the following Addenda to the Proposal in PDF format. Applications that do not include the required Addenda may be considered incomplete and/or non-responsive and may not be reviewed.

i. Resumes of Key Personnel

Applicants must attach the resumes of key project staff, each of which should not exceed two pages in length. Resumes should be compiled and uploaded together as one PDF file.

ii. Additional Requirements for Non-Profit and For-Profit Organizations

In addition to all applicable items listed above, EDA applicants that are non-profit and for-profit organizations must submit the following:

- A certificate of good standing from the State of its incorporation that is less than twelve (12) months old;
- A copy of the organization’s Articles of Incorporation and By-Laws; and
- For non-profit organizations, a copy of the most recent (not older than 18 months) IRS Form 990 (Return of Organization Exempt from Income Tax) (without attachments or schedules).

iii. Copy of Current, Approved Indirect Cost Rate Agreement (if applicable)

If F&A costs (sometimes referred to as indirect costs) are included in the budget, the applicant must include documentation to support the F&A rate it is using. The applicant must submit a copy of its current approved F&A rate agreement (F&A Agreement). Subject to the limitation on F&A costs set out in section D.6. below (i.e., F&A costs may amount to no more than 20 percent of the total project cost), the maximum dollar amount of allocable F&A costs for which EDA will reimburse a recipient shall be the lesser of the (i) line-item amount for the Federal share of F&A costs contained in the EDA-approved budget for the award, or (ii) Federal share of the total allocable F&A costs of the award based on either (a) the cost rate approved by EDA (or applicable cognizant Federal agency), provided that the cost rate is current at the time

the costs were incurred and provided that the rate is approved on or before the award end date, or (b) other acceptable documentation as indicated below.

If the applicant does not have a current or pending F&A Agreement, it may propose indirect costs in its budget; however, the applicant must prepare and submit an allocation plan and rate proposal for approval within ninety days from the award start date. See 2 C.F.R. part 200 Apps. III, IV, V, VI, and VII for guidance. The allocation plan and the rate proposal shall be submitted to EDA's Office of Regional Affairs (or applicable cognizant Federal agency). The applicant should include a statement in its Budget Narrative that it does not have a current or pending F&A Agreement and will submit an allocation plan and rate proposal to EDA or the applicant's cognizant Federal agency for approval.

If the applicant (1) does not have a current F&A Agreement and (2) has never had a negotiated F&A rate, the applicant may elect to charge a *de minimis* rate of 10 percent of modified total direct costs subject to the exceptions of 2 C.F.R. § 200.414(f). The applicant should include a statement in its Budget Narrative that it does not have an F&A Agreement; it has never had a negotiated F&A rate; and it is electing to charge the *de minimis* rate.

If the applicant is a State or local unit of government (or a Tribe) that receives less than \$35 million in direct Federal funding per year, it may submit any of the following: (a) a Certificate of F&A Costs from EDA or the U.S. Department of the Interior (DOI), (b) acknowledgment received from EDA and Certificate of F&A Costs, (c) a cost allocation plan approved by a Federal agency, or (d) a negotiated F&A Agreement.

Application Checklist

Before you submit your application to EDA, please ensure that the following documents are included in your submission.

☐ All required forms (ED 900A, SF424, SF424A, SF424B, CD511, SFLLL)
☐ Project Narrative (may not exceed 12-single sided, 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins)
☐ Statement of Applicant Capacity and Project Management (may not exceed 5-single sided, 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins)
☐ Budget Narrative
☐ Schedule of Major Milestones and Deliverables
☐ Addenda (including resumes of key personnel; non-profit and for-profit requirements, if applicable; and a copy of a current, approved indirect cost rate agreement, if applicable)

3. Unique entity identifier and System for Award Management (SAM)

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act of 2006, to

the extent applicable¹⁰, applicants are required to: (i) Be registered in the System for Award Management (SAM) before submitting their application; (ii) provide a valid unique entity identifier in their application; and (iii) continue to maintain an active SAM registration with current information at all times during which they has an active Federal award or an application or plan under consideration by a Federal awarding agency. EDA may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements, and if an applicant has not fully complied with the requirements by the time EDA is ready to make an award, EDA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant. Recipients will be subject to reporting requirements, as identified in OMB guidance published at 2 C.F.R. parts 25 and 170 (2014). The guidance set out at 2 C.F.R. part 25 may be located at <http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-part25.pdf> and the guidance set out at 2 C.F.R. part 170 may be located at <http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-part170.pdf>. Note that SAM now encompasses the Central Contractor Registration (CCR) and that the unique entity identifier is commonly the Data Universal Numbering System (DUNS) Numbers. The recipient must keep their SAM registration current.

4. Submission Dates and Times

There are no application deadlines under this NOFO. EDA plans to accept applications on a rolling basis between FY2018-2020 or until the publication of a new RNTA NOFO. EDA may cancel or withdraw the NOFO at any time and all funding is subject to the availability of funding.

a. How to Submit an Application

Applicants are required to submit applications electronically in accordance with the instructions provided at www.grants.gov. EDA will not accept paper (hard copy), facsimile or email transmissions of applications.

Applicants should save and print written proof of an electronic submission made at www.grants.gov. If problems occur, the applicant is advised to (a) print any error message received; and (b) call the www.grants.gov Contact Center at 1-800-518-4726 for assistance. The Contact Center is open 24 hours a day, 7 days a week (except for Federal holidays). Applicants can also contact Grants.gov via email at support@grants.gov.

5. Intergovernmental Review

Applications submitted under this NOFO are subject to the requirements of Executive Order (EO) 12372, “Intergovernmental Review of Federal Programs,” if a State has adopted a process under EO 12372 to review and coordinate proposed Federal financial assistance and direct Federal development (commonly referred to as the “single point of contact review process”). All applicants must give State and local governments a reasonable opportunity to review and

¹⁰ Individuals who apply for or receive agency awards or direct subawards are exempt from the requirements of the unique entity identifier and System for Award Management (SAM)). See 2 C.F.R. § 25.110(b).

comment on the proposed Project, including review and comment from area-wide planning organizations in metropolitan areas¹¹. To find out more about a State's process under EO 12372, applicants may contact their State's Single Point of Contact (SPOC). Names and addresses of some States' SPOCs are listed on the Office of Management and Budget's home page at http://www.whitehouse.gov/omb/grants_spoc . Question 19 of Form SF-424 allows applicants to demonstrate compliance with EO 12372.

6. **Funding Restrictions**

The use of EDA funds to make equity investments is not an allowable cost; neither EDA funds nor matching share may be used for such purposes. Investment assistance may not be used to start or expand a private business.

7. **Other Submission Requirements**

a. Means of Submission

APPLICATIONS MUST BE SUBMITTED THROUGH GRANTS.GOV. EDA will not accept paper, facsimile, or email transmissions of applications for this program except in cases of documented systems issues as described in Section I. of this NOFO. The preferred electronic file format for attachments is Adobe portable document format (PDF); however, EDA will accept electronic files in Microsoft Word, WordPerfect, or Microsoft Excel. Note that the Grants.gov registration is a multi-stage process that involves a number of steps, including validation, verification, and registration through other websites such as sam.gov. See Section I. of this NOFO. Please visit <http://www.grants.gov/web/grants/applicants/applicant-tools-and-tips.html> for resources and guides on the Grants.gov registration process.

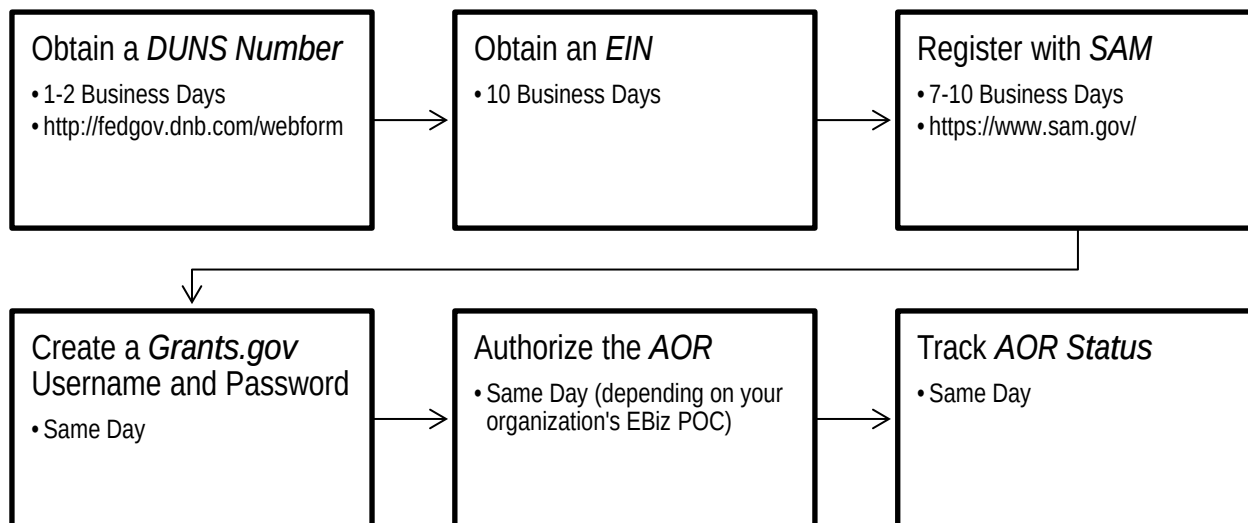
Once an application is submitted, it undergoes a validation process through Grants.gov during which the application may be accepted or rejected by the system. Please be advised that the validation process may take 24 to 48 hours to complete. Applications that contain errors will be rejected by Grants.gov and will not be forwarded to EDA for review. The applicant must correct the error before Grants.gov will accept and validate the application.

Please see Section I. of this NOFO for more detailed instructions and information on the requirements for submitting applications electronically via Grants.gov.

b. Pre-Submission Registration

Before applying to a competition under this NOFO, each applicant must both register with Grants.gov and register its Authorized Organization Representative (AOR) with Grants.gov. Applicants should note that this process can be lengthy, requires interaction with multiple organizations not affiliated with EDA, and requires confirmation at each step.

¹¹ As provided for in 15 C.F.R. part 13.



Applicants may have already completed one or more of the steps set forth in the above flowchart, which depicts an example of how the pre-submission registration process generally flows (e.g., applicants may have already registered with Grants.gov, in which case they do not need to re-register). However, note that applicants that have not completed any of the above steps may require 23 or more business days to complete the required steps serially. Grants.gov is a centrally-managed Federal grants portal, and changes or updates to the process outlined above may occur after the publication of this NOFO. Prospective applicants should visit <http://www.grants.gov/web/grants/applicants/organization-registration.html> to ensure that they follow the most up-to-date instructions.

E. Application Review Information

1. Evaluation Criteria

To apply for an award under this announcement, an eligible applicant must submit a completed application package to EDA in accordance with Section D. of this NOFO. Applications that do not meet all requirements or that exceed the page limitations set forth in Section D.2.b. of this announcement may be considered non-responsive and may not be considered for review. An Investment Review Committee (IRC) comprised of at least three Federal employees will be formed to review applications. The review panel will evaluate applications using the evaluation criteria identified below.

The following criteria apply to all applications, unless criteria are specifically stated to be for R&E or for NTA. Please read the criteria carefully. The number of points that can be earned for each category of criteria is listed below, with 100 points the maximum total that can be earned.

All projects applying for EDA funding through this NOFO should have a logical nexus to supporting EDA's Investment Priorities¹².

a. Organizational or Applicant Capacity and Personnel (15 Points)

- i. Ability of the applicant to carry out the proposed work and achieve success based on the education, experience, and professional accomplishments of each organization and all key personnel;
- ii. Qualified personnel that, as a group, demonstrate project management expertise, as well as demonstrated success in all aspects of the scope of work;
- iii. Quality of the partnerships and extent of partnership commitments;
- iv. Appropriateness, quality, and availability of any facilities, materials and resources to be used in implementing the proposed plan; and
- v. Verifiable quality of past performance on similar projects; applicants may be asked to provide references to substantiate this information.

vi. **R&E specific-criteria:**

Expertise of the applicant in the various subject matter necessary to implement research on performance measurement, metrics, and economic development and to deliver practical, sound recommendations.

vii. **NTA specific-criteria:**

Expertise of the applicant in the various subject matter necessary to deliver technical assistance to applicable regions across different organizational and issue types including: (a) business and industry; (b) business and industry intermediaries and/or consortia; (c) state and/or local government leaders; (d) regional and/or local economic development; (e) secondary, post-secondary, and adult education; (f) regional and/or local workforce development; and (g) organized labor and/or community-based organizations.

b. Strategic Approach (40 Points)

Documented approach to meeting the elements identified in the Scope of Work including:

- i. **R&E specific-criteria:**
 - Extent to which the proposed project will provide a specific benefit to EDA stakeholders or the economic development community;
 - Extent to which the proposed project is original and substantially contributes to the existing body of knowledge to support decisions made in economic development;

¹² EDA's Investment Priorities can be found at <https://www.eda.gov/about/investment-priorities.htm>. The priorities may be updated from time to time; any future revisions will be reflected on EDA's website on January 15, April 15, June 15, or September 15 of each year.

- Demonstrates that the project will support, promote, and improve understanding of economic development research, policy, and implementation; and
 - Supports EDA's mission to lead the federal economic development agenda by promoting innovation and competitiveness, preparing and supporting American regions for growth and success in the global economy.
- ii. **NTA specific-criteria:**
- Compelling description of how the project will provide technical assistance to stakeholders and how the stakeholders will benefit from the provision of the technical assistance;
 - Demonstrates how the proposed project will increase capacity of individuals, firms, or communities;
 - Ability of the proposed project to stimulate economic development in distressed regions;
 - Strength of proposed project to increase understanding of economic development principles; and
 - Supports EDA's mission to lead the federal economic development agenda by promoting innovation and competitiveness, preparing and supporting American regions for growth and success in the global economy.

c. Feasibility of Budget and Financial Match (15 Points)

- i. Strength of the proposed management plan to achieve the project goals and manage partner organizations and project staff;
- ii. Completeness of a proposed schedule and budget, including the extent to which appropriate targets, metrics, and milestones are clearly defined;
- iii. Strength of proposed financial match including documented commitments;
- iv. Identification of how Federal funds will be used and how financial match will be used; and
- v. Strength of partnership collaboration and interest in the concept as demonstrated by willingness of partners to contribute resources (financial or otherwise).

d. Feasibility of Deliverables and Timeline (15 Points)

- i. Strength of the timeline to work toward key milestones and dates, measure progress toward well-defined targets, and the likelihood that metrics and milestones will be met;
- ii. Proposed plan to work with Federal Project Manager and Federal Project Management Team; and
- iii. Extent to which challenges and risks are identified and mitigation strategies are proposed.

e. Sustainability, Scalability, and Dissemination (15 Points)

- i. Demonstrated success in sharing knowledge with groups that do not directly participate in the project;
- ii. Demonstrated success in efficiently taking existing practices to scale within and after the period of the initial funding award; and
- iii. Demonstrated success in developing recommendations for how the original funders of a project can utilize additional funding opportunities to maintain and expand project success.

2. Review and Selection Process

Throughout the review and selection process, EDA reserves the right to seek clarification from applicants whose application packages are being reviewed. EDA may ask applicants to clarify application materials, objectives, and work plans, or modify budgets or other specifics necessary to comply with Federal requirements.

a. Review for Eligibility and Completeness (Technical Review)

EDA staff will initially conduct an eligibility and technical completeness review (the “Technical Review”) of all applications received to assess whether the application meets the requirements of D.2.a. Applications received from ineligible entities will not be considered for funding. Additionally, applications that do not contain all forms and required documentation listed in Section D.2.a. of this NOFO may be deemed non-responsive and excluded from further consideration. EDA expects all applicants to complete and include all required forms and documentation. However, EDA, in its sole discretion, may determine that an omission is a non-substantive technical deficiency if it can easily and quickly be rectified and therefore may continue its consideration of the application despite the deficiency.

b. Investment Review Committee (IRC)

An IRC, comprised of at least three Federal employees, will evaluate the applications against the evaluation criteria enumerated in Section E.1. of this NOFO. Application scores will be determined by each panelist on an individual basis, and the average of the individual ratings will produce a panel score. Based on its consideration of the evaluation criteria, the IRC will prepare a priority order of funding recommendations for the EDA Grants Officer. R&E and NTA projects will be evaluated independently of each other based on the evaluation criteria of the specific program.

c. Due Diligence

If the IRC recommends an application, the applicant still may have to complete certain due diligence requirements. EDA may request that the applicant submit additional documents and information to allow EDA to fully evaluate compliance with applicable rules and regulations. If the applicant provides the requested information and supporting documentation in a timely fashion and EDA determines that the project is fully compliant with applicable rules and regulations, the application will be forwarded to the Grants Officer for a final decision and award approval. Applicants that do not provide the additional information and supporting documentation

in a timely fashion or who are deemed not to be in compliance with applicable rules and regulations will receive notification that their application was not successful.

d. Grants Officer's Decision

Applications recommended by the IRC and deemed fully compliant with applicable rules and regulations will be forwarded to the EDA Grants Officer under this announcement. The Grants Officer has been delegated the authority to make the final decision on whether to fund an application and may select a project for funding that differs from the IRC's recommendations based on any of the following four (4) Selection Factors or use these four Selection Factors to break a tie for applications that are otherwise considered equal in merit:

- i. A determination that the selected application better meets the overall objectives of the R&E and NTA program (*See* Section A.2. of this NOFO);
- ii. The ability of a project to start quickly;
- iii. The applicant's performance under previous awards including whether the grantee submitted required performance reports and data; or
- iv. The availability of program funding.

The Grants Officer's final decision must be consistent with EDA's and DOC's published policies. Should the Grants Officer make a selection that differs from the IRC's, the Grants Officer will document the rationale for the decision in writing. However, if EDA does not receive satisfactory applications, the Grants Officer may elect not to make any selection.

3. Federal Awardee Performance & Integrity Information System (FAPIIS) Review

EDA, prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS). *See* 41 U.S.C. § 2313.

Each applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. EDA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.205.

F. Federal Award Administration Information

1. Federal Award Notification

If an application is selected for funding the EDA Grants Officer will issue the grant award (Form CD-450), which is the authorizing financial assistance award document and includes the DOC Financial Assistance Standard Terms and Conditions and Special Award Conditions. The DOC Financial Assistance Standard Terms and Conditions (Mar. 2017) are available at http://osec.doc.gov/oam/grants_management/policy/documents/Department%20of%20Commerce%20Standard%20Terms%20&%20Conditions%2031%20March%202017.pdf.

By signing Form CD-450, the recipient agrees to comply with all award provisions. EDA will provide Form CD-450 electronically via the award package to the AOR listed on the applicant's Form SF-424. The recipient must sign and return the Form CD-450 without modification within 30 days of the date of EDA's signature on the form.

If an applicant is awarded funding, neither DOC nor EDA is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment or renewal of an award to increase funding or to extend the period of performance is at the discretion of DOC and EDA.

EDA will notify unsuccessful applicants electronically in writing to the AOR listed on the applicant's Form SF-424. EDA will retain unsuccessful applications in accordance with EDA's record retention schedule.

2. Administrative and National Policy Requirements

a. Uniform Administrative Requirements, Cost Principles and Audit Requirements

Recipients of an EDA award will be bound by the Uniform Guidance, which are codified at 2 C.F.R. Part 200. The Uniform Guidance streamlines the language from eight existing Office of Management and Budget (OMB) circulars, including Cost Principles (OMB Circulars A-21, A-87, A-122), administrative requirements (OMB Circulars A-102 and A-110), and audit requirements (OMB Circular A-133) into one consolidated set of guidance applicable to Federal assistance awards. Note that the Uniform Guidance supersedes DOC's Uniform Administrative Requirements set out at 15 C.F.R. Parts 14 and 24. Applicants are advised to familiarize themselves with 2 C.F.R. Part 200, which may be found at <https://www.gpo.gov/fdsys/pkg/CFR-2016-title2-vol1/pdf/CFR-2016-title2-vol1-part200.pdf>. Additional information on the substance of and transition to the OMB Uniform Guidance may be found at <https://cfo.gov/cofar/>.

b. DOC Financial Assistance Standard Terms and Conditions

DOC will apply the Financial Assistance Standard Terms and Conditions (ST&Cs) dated March 31, 2017, to this award. The ST&Cs may be accessed at the following website: http://www.osec.doc.gov/oam/grants_management/policy/documents/Department%20of%20Commerce%20Standard%20Terms%20&%20Conditions%2031%20March%202017.pdf.

c. DOC Pre-Award Notification Requirements

DOC will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements dated December 30, 2014, 79 Fed. Reg. 78,390. The Pre-Award Notice may be accessed at the Government Printing Office (GPO) website at <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

3. **Reporting**

- a. All recipients are required to submit financial, performance, and impact reports in accordance with the terms and conditions of the grant award, generally no less than semi-annually. All project progress and financial reports must be submitted to the applicable EDA program officer in an electronic format to be determined at the time of award.
- b. The Federal Funding Accountability and Transparency Act of 2006 includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards¹³ and executive compensation under Federal assistance awards issued in FY 2011 or later. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all sub-awards over \$25,000. Please see the OMB guidance published at 2 C.F.R. part 170 (2015), which can be accessed at <http://www.gpo.gov/fdsys/pkg/CFR-2015-title2-vol1/pdf/CFR-2015-title2-vol1-part170.pdf>.
- c. EDA may require additional data on activities, outputs and actual impact of the funded investment, pursuant to the Government Performance and Results Act (GPRA), as well as specified under the special terms and conditions of the EDA grant award. For example, recipients may be expected to continuously track their engagement activities within the scope of work, other beneficiaries, and project-related stakeholders. They may also be expected to collect data on the outputs and impacts of their activities, such as, for example, the number of beneficiary strategic plans developed, the number of new business partnerships formed, or new capabilities acquired using surveys of beneficiaries or clients if necessary. EDA will specify the data collection techniques and reporting mechanisms to be used.

G. Federal Awarding Agency Contact(s)

For additional information on the R&E and NTA program please email RNTA@eda.gov. EDA's website at www.eda.gov contains additional information on EDA and its programs.

¹³ A first-tier subaward means an award provided by the recipient to a subrecipient for the subrecipient to carry out as part of a Federal award.

H. Other Information

1. Right to Use Information

DOC reserves the right to use information contained in applications submitted under this opportunity, as well as all reports and performance data submitted by recipients to undertake an evaluation of its programs, either through its staff or by hiring a third party. The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance, and other reports submitted by applicants, may be used by DOC in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by DOC employees, other Federal employees, Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate confidentiality and nondisclosure agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner and by cooperating with DOC and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a DOC financial assistance award.

2. Freedom of Information Act Disclosure

The Freedom of Information Act (5 U.S.C. § 552) (FOIA) and DOC's implementing regulations at 15 C.F.R. part 4 set forth the rules and procedures to make requested material, information, and records publicly available. Unless prohibited by law and to the extent permitted under FOIA, contents of applications submitted by applicants may be released in response to FOIA requests. In the event that an application contains information or data that the applicant deems to be confidential commercial information, that information should be identified, bracketed, and marked as "Privileged, Confidential, Commercial or Financial Information." Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law.

3. Notice of Government-Wide Procurement Restriction

The general rule for Federal financial assistance is that contractors that develop draft specifications, requirements, statements of work, invitations for bids or requests for proposals are prohibited from competing for the final procurement. For instance, a professional engineer or architect who prepared the Preliminary Engineering Report for an EDA application would be excluded from bidding on the same work under the award. Before the Uniform Guidance took effect, pursuant to the DOC grant regulations at 15 C.F.R. Parts 14 and 24, the prohibition applied to institutions of higher education, hospitals, non-profits and commercial and international organizations but did not apply to States, local governments, or Indian Tribes. However, under 2 C.F.R §§ 200.319 and 200.317, which are now controlling, only State recipients are expressly exempt from this prohibition. Despite this change, local governments and Indian Tribes may also take advantage of the exemption in two narrow circumstances: (i) if they are required (by statute, for example) to follow the State's procurement rules in full and

without exception; or (ii) if they are required to follow a specific State procurement rule that creates an explicit conflict with the prohibition in 2 C.F.R. § 200.319(a) (i.e., there is a statute that requires or permits the local government or Indian Tribe to award the final procurement to the same contractor that developed the draft specifications). Absent one of these two scenarios, the local government or Indian Tribe must comply with the prohibition. Applicants are encouraged to contact the EDA email address listed in Section G. of this NOFO with any questions regarding application of this regulation.

4. **Past Performance and Non-Compliance with Award Provisions**

Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding. Failure to comply with any or all of the provisions of an award may have a negative impact on future funding by DOC (or any of its operating units) and may be considered grounds for any or all of the following actions: (1) establishing an account receivable; (2) withholding payments to the recipient under any DOC award(s); (3) changing the method of payment from advance to reimbursement only; (4) imposing other special award conditions; (5) suspending any active DOC award(s); and (6) terminating any active DOC award(s).

5. **Restrictions Governing Making Grants to Corporations Convicted of Felony Criminal Violations and/or Unpaid Federal Tax Liabilities**

In accordance with current Federal appropriations law, execution by an applicant of the Representation by Corporations Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction Under Any Federal Law (see Appendix A) will be required in a format requested by EDA before any award will be made under this NOFO.

6. **EDA's Non-relocation Policy**

Applicants are advised that should an application be selected for award, the recipient will be required to adhere to a special award condition relating to EDA's non-relocation policy as follows:

In signing this award of financial assistance, Recipient(s) attests that EDA funding is not intended by the Recipient to assist its efforts to induce the relocation of existing jobs within the U.S. that are located outside of its jurisdiction to within its jurisdiction in competition with other U.S. jurisdictions for those same jobs. In the event that EDA determines that its assistance was used for those purposes, EDA retains the right to pursue appropriate enforcement action in accord with the Standard Terms and Conditions of the Award, including suspension of disbursements and termination of the award for convenience or cause, which may include the establishment of a debt requiring the Recipient to reimburse EDA.

For purposes of ensuring that EDA assistance will not be used to merely transfer jobs from one location in the United States to another, each applicant must inform EDA of all employers that constitute primary beneficiaries of the project assisted by EDA. EDA will consider an employer to be a "primary beneficiary" if: (i) the employer is specifically named in the application as benefitting from the project, and the applicant estimates that the employer will create or save 100 or more permanent jobs as a result of the investment assistance (if the jobs in question were originally located in a smaller community, EDA may extend this policy to the relocation of 50 or

more jobs); or (ii) the employer is or will be located in an EDA-assisted building, port, facility, or industrial, commercial, or business park constructed or improved in whole or in part with investment assistance prior to EDA's final disbursement of funds.

7. **Audit Requirements**

Single or program-specific audits shall be performed in accordance with the requirements contained in the Uniform Guidance (*see* 2 C.F.R. part 200, Subpart F, "Audit Requirements"). The Uniform Guidance requires any non-Federal entity (i.e., non-profit organizations, including non-profit institutions of higher education and hospitals, states, local governments, and Indian Tribes) that expends federal awards of \$750,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Uniform Guidance.

8. **Implementing the Americans with Disabilities Act (ADA)**

The U.S. Department of Justice has issued revised regulations implementing Title II of the ADA (28 C.F.R. Part 35; 75 Fed. Reg. 56,164 (Sep. 15, 2010), as amended by 76 Fed. Reg. 13,285 (Mar. 11, 2011)) and Title III of the ADA (28 C.F.R. Part 36; 75 Fed. Reg. 56,236 (Sep. 15, 2010), as amended by 76 Fed. Reg. 13,286 (Mar. 11, 2011)).

I. **Instructions for Application Submission via Grants.gov**

Register early and submit early. In order to submit an application through <http://www.grants.gov/> (Grants.gov), an applicant must register for a Grants.gov user ID and password. Note that this process can take between three to five business days or as long as four weeks if all steps are not completed correctly. Information about the Grants.gov registration process for organizations can be found at <http://www.grants.gov/web/grants/applicants/organization-registration.html>. Please note that organizations already registered with Grants.gov do not need to re-register; however, all registered organizations must keep their System for Award Management (SAM), which includes the Central Contractor Registration (CCR) database, registration up-to-date through sam.gov or their applications will not be accepted by Grants.gov.

AOR requirement. Applicants must register as organizations, not as individuals.¹⁴ As part of the registration process, you will register at least one Authorized Organization Representative (AOR) for your organization. AORs registered at Grants.gov are the only officials with the authority to submit applications at Grants.gov so please ensure that your organization's application is submitted by an AOR. If the application is submitted by anyone other than your organization's AOR, it will be rejected by the Grants.gov system and cannot be considered by EDA. Note that a given organization may designate multiple individuals as AORs for Grants.gov purposes.

¹⁴ If applying as an individual, please follow these instructions:
<https://www.grants.gov/web/grants/applicants/individual-registration.html>

The most up-to-date instructions for application submission via Grants.gov can be found at <https://www.grants.gov/web/grants/applicants/workspace-overview.html>. In order to begin, complete, and submit your application:

- Navigate to <https://www.grants.gov/web/grants/applicants/workspace-overview.html>;
- Click “Get Application Package”;
- In “Funding Opportunity Number” field, enter “EDA-HDQ-RNTA-2018-2005669”;
- Click “Search”;
- Under the “Actions” column, click the “Apply” link that corresponds with this opportunity;
- Enter your email address (if you would like to receive updates from Grants.gov regarding this grant opportunity) or check the box that indicates you do not wish to provide it, then click “Submit”;
- Choose to apply using Workspace by clicking “Login to Apply Now”
- Follow the instructions provided on the Grants.gov website and on each webpage to complete and submit your application.
- For detailed step-by-step guidance on how to create a workspace, an application, and submit a workspace package, see the Grants.gov Online User Guide. Navigate to www.grants.gov and select “Apply for a Grant with Workspace” located in the banner or see https://www.grants.gov/help/html/help/Applicants/Apply_for_Grants.htm

Field Limitations and Special Characters. Please be advised that Grants.gov provides the following notice with respect to form field limitations and special characters:

Are there restrictions on file names for any attachment I include with my application package?

Please limit file names to 50 characters and do not use special characters (example: &, -, *, %, /, #) in attachment names and application form fields (including periods (.), blank spaces and accent marks) or attaching documents with the same name. An underscore (example: my_Attached_File.pdf) may be used to separate a file name. Please note that if these guidelines are not followed, your application may be rejected.

What kind of information can be entered into form fields within my application?

Grants.gov application packages offer fields to enter a set amount of data. When the limit is reached for a certain field, you will no longer be able to enter data into that field. For every form, there are different limitations to the data that you are allowed to enter (this varies between agency and form). Refer to the Agency instructions available for download with the application package for more detail.

Do not use special characters (example: &, -, *, %, /, #) within the application form fields including periods (.), blank spaces and accent marks; an underscore may be used. Please note that if these guidelines are not followed, your application may be rejected.

In EDA's experience, use of apostrophes (') in file names and fillable fields of required forms has resulted in application submission issues. Accordingly, please periodically check the status of your application to make sure it has been validated, and use file naming conventions that do not negatively affect your application submission.

If a response exceeds the field limit requirements of any form, including Form ED-900, the applicant is advised to include the response as an attachment to the application. The applicant should move 'Attachments' to the 'Optional Documents for Submission' box in the application package, and clearly indicate in the form field that the information is included as an electronic file.

Verify That Your Submission Was Successful. Applicants should save and print written proof of an electronic submission made at Grants.gov. Applicants can expect to receive multiple emails regarding the status of their submission. Since email communication can be unreliable, applicants must proactively check on the status of their application if they do not receive email notifications within two days of submission.

An applicant should expect to receive two initial emails from Grants.gov: the first will confirm receipt of the application, and the second will indicate that the application has either been successfully validated by the system before transmission to EDA or has been rejected due to errors. It can take up to two business days after Grants.gov receives an application for applicants to receive email notification of an error. Applicants will receive a third email once EDA has retrieved their applications.

EDA requests that applicants kindly refrain from submitting multiple copies of the same application package. Applicants should save and print both the confirmation screen provided on the Grants.gov website after the applicant has submitted an application, and the confirmation email sent by Grants.gov when the application has been successfully received and validated in the system. If an applicant receives an email from Grants.gov indicating that the application was received and subsequently validated, but does not receive an email from Grants.gov indicating that EDA has retrieved the application package within 72 hours of that email, the applicant may contact EDA using the contact information in Section G. of this announcement to inquire if EDA is in receipt of the applicant's submission.

It is the applicant's responsibility to verify that its submission was timely received and validated successfully at Grants.gov. To see the date and time your application was received, navigate to <https://www.grants.gov> and click on the "Track My Application" link under the "Applicants" tab. For a successful submission, the application must be received and validated by Grants.gov, and an agency tracking number assigned. If your application has a status of "Received" it is awaiting validation by Grants.gov. Once validation is complete, the status will change to "Validated" or "Rejected with Errors." If the status is "Rejected with Errors," your application has not been received successfully. For more detailed information on why an application may be rejected, please see "Encountering Error Messages" at <https://www.grants.gov/web/grants/applicants/encountering-error-messages.html> and "Frequently Asked Questions by Applicants" at <https://www.grants.gov/web/grants/applicants/applicant-faqs.html>.

Grants.gov Systems Issues. If you experience a Grants.gov systems issue (i.e., a technical problem or glitch with the Grants.gov website) that you believe threatens your ability to complete a submission in a timely manner, please (i) print any error message received; (ii) call the Grants.gov Contact Center at (800) 518-4726 for assistance; and (iii) contact EDA using the contact information in Section G. of this NOFO. Ensure that you obtain a case number regarding your communications with Grants.gov. Please note that problems with an applicant's computer system or equipment are **not** considered systems issues. Similarly, an applicant's failure to, e.g., (i) complete the required registration, (ii) ensure that a registered AOR submits the application, or (iii) notice receipt of an email message from Grants.gov are **not** considered systems issues. A Grants.gov systems issue is an issue occurring in connection with the operations of Grants.gov itself, such as the temporary loss of service by Grants.gov due to unexpected volume of traffic or failure of information technology systems, both of which are highly unlikely. In the event of a confirmed systems issue, EDA reserves the right to accept an application in an alternate format.

Applicants should access the following link for assistance in navigating Grants.gov and for a list of useful resources: <http://www.grants.gov/web/grants/support.html>. If you do not find an answer to your question under the "Applicant FAQs," try consulting the "Grants Online User Guide" at https://www.grants.gov/help/html/help/Get_Started/Get_Started.htm or contacting Grants.gov by email at support@grants.gov or telephone at 1-800-518-4726. The Grants.gov Contact Center is open 24 hours a day, seven days a week, except on Federal holidays.

Appendix A.
**Certifications Regarding Federal Felony and Federal Criminal Tax Convictions, Unpaid
Federal Tax Assessments and Delinquent Federal Tax Returns**

As discussed in Part I and Part II below, current Federal appropriations law contains certain funding prohibitions and certification requirements applicable to financial assistance awards issued with appropriated funds. Accordingly, the Department of Commerce will require the following certifications from prospective financial assistance award recipients (also referred to below as applicants):

PART I-Certifications from Corporations

None of the appropriated funds made available by relevant appropriations Acts may be used to issue a financial assistance award to any corporation that:

- (a) Was convicted of a felony criminal violation under any Federal law within the preceding 24 months, unless a Federal agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government; and/or
- (b) Has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless a Federal agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

For purposes of the below certification, a corporation is defined as an entity that has filed articles of incorporation in one of the fifty states, the District of Columbia, or the various territories of the United States including American Samoa, Federated States of Micronesia, Guam, Midway Islands, Northern Mariana Islands, Puerto Rico, Republic of Palau, Republic of the Marshall Islands, and the U.S. Virgin Islands. (Note that this includes both for-profit and non-profit organizations.)

The below certification is required for all new financial assistance awards and for all amendments to existing financial assistance awards, that are made to corporations (as defined above) and that are funded with appropriated funds made available to the Department of Commerce pursuant to relevant appropriations Acts. This certification is further required to the extent that other appropriation Acts contain the same or substantively similar prohibitions against the issuance of financial assistance awards to certain corporations.

Instructions: All recipients that are corporations (as defined above) must complete paragraphs (1) and (2) below, which must be signed below by an authorized representative of the corporation. Recipients that are not corporations are not required to complete this representation.

(1) _____ [insert name of corporation] certifies that it is ☐ is not ☐ (check one) a corporation that was convicted of a felony criminal violation under a Federal law within the 24 months preceding the signature date of this Representation.

(2) _____ [insert name of corporation] certifies that it is ☐ is not ☐ (check one) a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

By: _____ *[Typed name and title of the signing individual]*

[Typed phone number of the signing individual]

[Typed email address of the signing individual]

Date: _____

PART II-Certifications for Awards Over \$5 Million

For financial assistance awards in excess of \$5 million, the Department of Commerce is required to obtain written certification from all recipients that:

(a) To the best of its knowledge and belief, the recipient has filed all Federal tax returns required during the three years preceding the certification;

(b) The recipient has not been convicted of a criminal offense under the Internal Revenue Code of 1986; and/or

(c) The recipient has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

The below certification is required from all recipients receiving financial assistance awards in excess of \$5 million and funded with applicable appropriations. This certification is further required to the extent that other appropriation acts contain the same or substantively similar prohibitions against the issuance of financial assistance to certain recipients of financial assistance awards in excess of \$5 million.

Instructions: All applicants receiving financial assistance awards in excess of \$5 million and funded with applicable appropriations must complete paragraphs (1), (2) and (3) below, which must be signed below by an authorized representative of the applicant.

(1) _____ [insert name of applicant] certifies that it has ☐ has not ☐ (check one) filed all Federal tax returns required during the three years preceding this certification;

(2) _____ [insert name of applicant] certifies that it has ☐ has not ☐ (check one) been convicted of a criminal offense under the Internal Revenue Code of 1986, as amended; and/or

(3) _____ [insert name of corporation] certifies that it has ☐ has not ☐ (check one) been notified, more than 90 days prior to this certification, of any Federal tax assessment for which liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

By: _____ *[Typed name and title of the signing individual]*

[Typed phone number of the signing individual]

[Typed email address of the signing individual]

Date: _____